



DEPARTMENT OF THE NAVY

NAVAL SEA SYSTEMS COMMAND  
1333 ISAAC HULL AVENUE  
WASHINGTON NAVY YARD DC 20376-2101

IN REPLY REFER TO

5720

Ser SEA 00A5/DON-NAVY-2017-005771F

May 16, 2017

Ms. Rose Santos  
FOIA Group, Inc.  
P.O. Box 368  
DePew, NY 14043

SUBJECT: YOUR FREEDOM OF INFORMATION ACT CASE DON-NAVY-2017-005771

Dear Ms. Santos:

This is acknowledges receipt and is our final respons to you April 25, 2017, Freedom of Information Act (FOIA) request, in which you seek a copy of the technical and management proposals submitted for N00178-04-D-4030 EH06 for Professional Support Services PMS385 (Zone 2).

I considered your request under the FOIA 10 U.S.C. 552, as amended, and Secretary of the Navy Instruction 5720.42F. After a careful review of documents responsive to your request, it was determined that the information you are seeking would not be releasable under exemptions (b)(3) of the FOIA.

FOIA subsection (b)(3) protects matters which are exempt from disclosure by statute, provided that such statute either: (1) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (2) establishes particular criteria for withholding or refers to particular types of information to be withheld. In this instance, 10 U.S.C. 2305(g) prohibits the release of Department of Defense contractor proposals.

Since the documents you have requested are prohibited from public disclosure for the reasons stated above, I am denying your FOIA request.

I am the official responsible for the decision regarding your request. Because the requested records have been denied, you may consider this an adverse determination that may be appealed in writing. If you decide to file an appeal, it

must be received within 90 calendar days from the date of this letter and should contain a copy of your original requests, a copy of this letter, and a statement indicating why you think your appeal should be granted. Attach a copy of this letter to the appeal and mark the appeal and the envelope, "Freedom of Information Act Appeal." Mail the original to the Department of the Navy, Office of the General Counsel, Attn: FOIA APPEALS, 1000 Navy Pentagon, Room 5A532, Washington, DC 20350-1000. Please mail a copy of the appeal to:

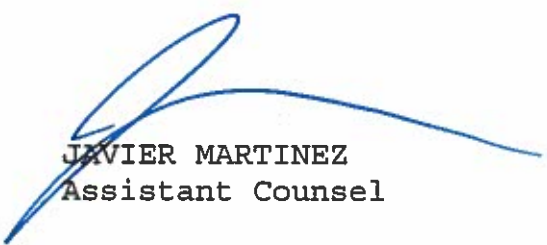
Commander  
Naval Sea Systems Command (SEA 00A5)  
1333 Isaac Hull Ave SE  
Washington Navy Yard, DC 20376-1021

As an alternative to filing an appeal, you may seek Alternate Dispute Resolution (ADR). You may submit your request for ADR either to DONFOIA-PA@navy.mil or you can call the Navy FOIA Service Center at 202 685-0214 or via the following address:

Chief of Naval Operations (DNS-36)  
Attn: FOIA/PA Service Center  
C/O - Head, SECNAV/CNO FOIA/PA Program Office  
2000 Navy Pentagon  
Washington, DC 20350-2000

If you have any questions concerning this matter, please contact Ms. Ginger Dolan at (202) 781-3359.

Sincerely



JAVIER MARTINEZ  
Assistant Counsel